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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/748,831	12/27/2000	Stephen Heisig	YOR920000705US1	6296

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EXAMINER

NGUYEN, VAN H

ART UNIT	PAPER NUMBER
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2126

DATE MAILED: 12/04/2003

7

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/748,831

Applicant(s)

HEISIG ET AL.

Examiner

VAN H NGUYEN

Art Unit

2126

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 October 2003.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 4.
- 4) ☐ Interview Summary (PTO-413) Paper No(s) _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

1. This Office Action is in response to the letter of election filed on October 29, 2003.

Claims 1-5 are elected for examination.

Specification

2. The abstract of the disclosure is objected to because it exceeds the limit of 150 words.

Correction is required. See MPEP § 608.01(b).

Claim Objections

3. Claim 3 is objected to because of the following informalities:

- "the client work station include" (claim 3, line 2) should be "the client work station includes"

Appropriate correction is required.

Claim Rejections - 35 USC § 112

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

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Claim 3 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

- As to claim 3, "the client work station" lacks antecedent basis. Claim 3 has no "a client work station" term that defines or supports the given reference.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1 is rejected under 35 U.S.C. 102(b) as being anticipated by **Page et al.** (U.S. 5,329,619).

As to claim 1, Page teaches (col.4, lines 23-52 and fig.8) a computer system (*a distributed computer system*) coupled to work stations operated by remote clients (*clients*) comprising:

an object server container within the system, the container having a plurality of server objects relating to specific, respective servers (*service broker 14 manages requests...the clients and servers*; (col.4, lines 23-52);.

means for providing access to the server objects from the remote clients, said means including a protocol adapter framework for supporting an appropriate arbitrary protocol between the clients and the server objects, the protocol adapter being operable to translate client requests into method requests on an object residing within an object server (*An adapter ...convert a foreign communications protocol to the function server protocol to allow applications programs to access the service broker functionality... match client service requests with actual service offering by servers*; col.3, lines 49-64; col.47, line 66-col.48, line 27; and figs.8-9).

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 2-5 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Page et al.** in view of **Aharoni et al.** (U.S.6,014,694).

As to claim 2, Page does not explicitly teach a video server and a web server.

Aharoni teaches (*figs.2 and 15*) a video server (*video server*) and a web server (*internet*).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teachings of Aharoni with Page because it would have provided the capability for transporting video from a video source over a network channel to a video client.

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As to claim 3, Page does not explicitly teach a client work station includes a web browser and a video player.

Aharoni teaches a client work station includes a web browser and a video player (*the video client...video player*; col.17, lines 40-59).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teachings of Aharoni with Page because it would have provided the capability for browsing video from the server and viewing video on the client.

As to claim 4, Page does not explicitly teach an HTTP adapter.

Aharoni teaches an HTTP adapter (*adaptively transporting video...utilize internet protocol*; col.6, lines 34-60)

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teachings of Aharoni with Page because it would have provided the capability for facilitating transmitting the request from the server to the client.

As to claim 5, Page does not explicitly teach a video protocol adapter.

Aharoni teaches a video protocol adapter (*the video client 220 is adapted...directly from the most suitable server*; col.19, lines 9-41).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teachings of Aharoni with Page because it would have provided the capability for efficiently browsing video from the server and viewing video on the client.

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Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- Frech	US 6654794	issued date:11/2003
- Ambrosini et al.	US 6609121	issued date:08/2003
- Lloyd et al.	US 6219790	issued date:04/2001
- Page et al.	US 5812768	issued date:09/1998
- Ohashi	US 5581783	issued date:12/1996

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to VAN H NGUYEN whose telephone number is (703) 306-5971. The examiner can normally be reached on Monday-Thursday from 8:30AM - 6:00PM. The examiner can also be reached on alternative Friday.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-9000.

Any response to this action should be mailed to:
Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

or fax to:

(703) 746-7239 (for formal communications intended for entry)
(703) 746-7238 (for After Final communications)
(703) 746-7240 (for informal or draft communications)

VHN
11/29/03



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